LAWYERS FOUGHT IN VAIN TO FREE THAW

Kept Up Struggle for More Than Five Years to Get Slayer From Matteawan.

JEROME BLOCKED ESCAPE

Delved Deeper Into Thaw's History When Efforts Were Made to Prove Him Sane.

Harry K. Thaw spent more than five years and a half in the Matteawan Insane Asylum. During that time able awyers, using all the resources of experience and skill, worked in vain to have him adjudged sane and set free.

There were three habeas corpus hearings to test Thaw's sanity. Other writs were applied for, but denied. There were applications also for trials by jury as to Thaw's sanity. These, too, were denied. There were appeals to the Appellate Division and to the Court of Appeals in each fight, but none resulted in victory

In these legal battles Thaw's lawyers were pitted against William T. Jerome who had prosecuted the young Pittsburger

But Mr. Jerome's thorough acquaintance with every detail of Thaw's history and his skill as a cross-examiner enabled him to defeat every effort to win freedom for Thaw. As a result Thaw came to regard Mr. Jerome with even greater reapect and greater fear than during the days of his murder trials. Thaw admitted that but for Jerome he would have succeeded in getting a court order setting him free from Matteawan.

Disobeyed Littleton's Advice.

When Thaw was committed to Matteawan by Justice Dowling he was advised by Martin W. Littleton, who obtained his acquittal, to wait at least a year before attempting to gain his freedom. Thaw disobeyed that advice and became so in-sistent that Mr. Littleton refused to go into court and apply for a writ. There-upon Thaw hired a lawyer in Matteawan, James C. Graham, to take up his case,

Within three months, therefore, Thaw was taken before Supreme Court Justice Morschauser in Dutchess county to be tested as to his sanity. At that time Thaw's lawyer argued that the cimmitment to Matteawan was illegal and also presented evidence to show the sanity of his client. Justice Morschauser held that no proof was offered to show that Thaw's mental condition had changed

That defeat, in May, 1908, was not re-garded as a severe blow to Thaw's chances of freedom. In the course of the next year Thaw made another attempt to get a writ of habeas corpus, but was not successful. Finally, in 1909, Justice Mills at the request of Thaw's mother consented to hear testimony bearing on

consented to hear testimony bearing on the young man's sanity.

At that hearing Thaw's attorney, Charles Morschauser, caused surprise by calling as witnesses many of the experts on insanity who had testified at the murder trial that Thaw was insane. The experts testified that Thaw had recovered from his mental trouble. Many of them who had testified at the murder trial that they had noted symptoms of paranoia. they had noted symptoms of paranoia suffered unpleasant moments under the cross-examination of Mr. Jerome, who argued that Thaw was suffering from

Thaw Told of "Conspiracy."

Thaw, who went on the witness stand, also to make reasonable many letters of instruction to counsel. Under the crossd from that moment there was no doubt Justice Mills's decision was emphatic. recovery were very slight, and that to him free would be dangerous to the nity. His opinion reviewed in Finaw's history and mental con-It was a crushing blow to Thaw's

in the next three years Thaw's lawvers sought to obtain other tests. The late Judge Bartlett took up the case for a time and after his death Clarence Shearn was retained. Mr. Shearn tried to have a jury inquiry into Thaw's sanity and failing in that, finally had Thaw

Mr. Shearn's preparation of the case was remarkable for its attention to detail and its thoroughness. He sought to that his insanity was caused by Evelyn Nesbit's story of White's treatment of her. He tried to show that all the alleged delusions of Thaw—such as the attempts on Thaw's life before he killed White, conspiracy to keep Thaw in the insane asylum—were beliefs founded on fact. He had Thaw explain in detail every bit of writing, every drawing and every statement that Jerome used as proof of Thaw's diseased mind.

evidence concerning Thaw's degenerate practices and of the alleged hereditary insanity in the Thaw family. He called Clifford W. Hartridge, one time Thaw's personal counsel, to tell about payments money to girls who disappeared after the shooting of White. He called Mrs. Evelyn Thaw, who made the remark on the stand that Harry Thaw "had hidden

Thaw, on the witness stand, told of the events leading up to the killing of White. He insisted, however, that he did not remember the shooting. He said that one of his former counsel several years before had consulted Justice Keogh about his case. This caused Justice Keegh to make a statement, in which he said that he had forgotten all about

Matteawan.

The last sensation in the Thaw case came in February when William F. Clark, secretary to the Suiser commission of inquiry, testified that John R. Russell, superintendent of Matteawan, had received \$25,000 to release Thaw from the asylum. The money was supposed to have been paid to him by John Nicholas Anhut, a young lawyer of this city. Dr. Russell admitted that Anhut had offered him a bribe of \$20,000.

As a resuli, Thew and his mother, Mrs.

Mary Copley Thaw, were witnesses be-fore the Grand Jury in this city. Ashut was indicted, convicted and sentenced to not less than two or not more than four years in Sing Bing for offering a Bribe, to Dr. Russell.

Verdict That Sent Thaw to Matteawan

The cerdict of the welve jurers who tried Thaw, in the words of their foreman, Char'es E. Gremmels, was:

"We find the defendant not guil u. on the ground of his insanity at he time of he commission of the act."

The court order by Judge Vic or J. Dowling fer the serdict was as follows:

"Upon the estimony in his case, apart from any other consideration the might arise, from any other consideration the migh arise, the cours is satisfied that he enlargement of the defendan would be dangerous to public safety and the impressions of the cours are strong as . o the duty decoloing upon its conscience to see to it that 'he defendant is no most discharged. The court therefore orders and determine as follows:

"The defendant on his trial on said indictment having been acquitted by the jury on he ground of insanity, and the court being certified of the fact and the defendant being in custody, and he court deeming his discharge at this time dangerous .o the public safety. it is ordered that the said Harry K. These be detained in safe custody and be sent o the Mateman Sale Hospital, there to be kept in said hospita' until thence discharged by due course of law."

lawyer of 51 Chambers street, obtained another writ of habeas corpus from Supreme Court Justice Guy with the hope of proving Thaw's sanity. The proceedings, however, were stopped.

CRIME COST \$1,000,000.

Thaw's Mother Spent Fortune Trying to Free Son.

Harry Kendall Thaw has been fighting for his liberty ever since the night of June 25, 1906, when he walked up to Stanford White at Madison Square Roof

young man showed wild tendencies in his youth and his father left him only \$2,500 a year. His mother, Mrs. Mary C. Thaw, straightway made him an allowance of \$80,000 a year and with that as a be-ginner Thaw set out to blaze the gayest path ever trod by any wealthy young

American.

Before he met Evelyn Nesbit, a member Before he met Evelyn Nesbit, a member of the "Florodora" company at the Casino, he had won notoriety by his "beauty dinner" in Paris, given at a cost of \$50,000, and had been frequently called the "modern Lucullus." The stories told of his extravagance are almost endless. He was known as well on the other side of the Atlantic as on this.

Miss. Nesbit had been like a good many.

Miss. Nesbit had been like a good many.

"Dr. Kieb, superintendent of the Mist."

Miss Nesbit had been, like a good many other young chorus girls, a protege of Stanford White, at that time this coun-

After a rumor had gained considerable paranola, an incurable disease.

To prove that Thaw was suffering from an incurable mental disease due to hereditary causes and to degenerate practices between called witnesses who told of things not disclosed at the murder trial. A Mrs. Susle Merrill described the manner in which Thaw whipped girls. She produced the horsewhips that he used. Furthermore, Mrs. Evelyn Thaw, who had testified in his behalf in the murder trial, went in the distance could easily be made in thirty minutes or less in an automobile. Once in Connecticut Thaw is a free man and cannot be resulted for Europe again, this time with sailed for Europe again, this time with the horsewhips that he used. Furthermore, Mrs. Evelyn Thaw, who had testified in his behalf in the murder trial, went in the more than the following a tour of the Continent.

Before two months had clapsed she was a reconciliation with Stanford White and circulating in an automobile. Once in Connecticut Thaw is a free man and cannot be resulted by the courts he is innocent of the continent.

Before two months had clapsed she was a reconciliation with Stanford White and circulating in an automobile. Once in Connecticut Thaw is a free man and cannot be resulted by the courts he is innocent to the provide the manner in the provide that the provide the manner in the more by the highway. The distance could easily be made in thirty minutes or less in an automobile. Once in Connecticut Thaw is a free man and cannot be resulted by the courts he is innocent to the more by the highway. The distance could easily be made in thirty minutes or less in an automobile. Once in Connecticut Thaw is a free man and cannot be resulted by the courts he is innocent to the provide the manner in the more by the highway. The distance could easily be made in thirty minutes or less in an automobile. Once in Connecticut Thaw is a free man and cannot be resulted to the manner in the more by the highway. The distance outling the more by the highway.

ned in his behalf in the murder trial, went on the stand against him and told of threats that Thaw made to kill her.

Two years elapsed before the killing of White. During that time Mrs. Mary Thaw threats that Thaw made to kill her. troduced her to Pittsburg society and had her schooled in German and French. During this time Thaw had detectives White in New apprehension that White was trying to

Mrs. Thaw back to this city Lorraine Hotel. That evening White ate son and some friends. Thaw dined at the same place, and the chronic delusive insanity; that his chances He knew of White's presence, however.

Didn't Know Who Killed Him.

There seemed little doubt that Thaw had determined to kill his supposed rival. After the dinner at the Cafe Martin the to see "Mam'selle Champagne." White did not arrive there until 11:05 o'clock. He sat down with his friends, apparently not having seen Thaw. A few minute later Thaw got up, walked over to White's table and deliberately fired from

Thaw was taken to the West Thirtieth street station without an effort on his part to escape and locked up. The next morning after brief proceedings he was remanded to the Coroner and sent down to the Tombs.

The inquest was held on June 28. Only witnesses of the shooting were called, and Thaw was speedily held for the Grand Jury. From the Coroner's court the wit-Thaw was indicted for murder in the

with his counsel, who wanted to pro him insane. He refused to comply wi Jerome Again Wins.

Jerome, on the other hand, offered

Jerome, on the other hand, offered

Jerome, on the other hand, offered

Two Sensational Trials.

During this time Thaw was in the Tombs. His wife visited him regularly there, and when the trial was in progress took the stand unflinchingly in his behalf. She kept back nothing. The trial was in many respects the most spec-tacular of its kind in New York. The

After three months, the jury retired to deliberate on a verdict. It was locked up for forty-seven hours. Then it was de plication for a new trial was made im-mediately, but because of delays of one kind and another the case was not called

kind and another the case was not called until a year later.

At the outset, Martin W. Littleton let it be known that the defence would attempt to prove that Thaw was insane when he shot White. It was during the second trial that Evelyn Thaw told the atories that District Attorney Jerome tried in vain to have suppressed. Thay recounted orgies that Stanford White had been a party to and atrocities her husband had committed that were calculated to make any jury believe him erasy.

Thaw was found to be insane February 1, 1908. Four hours later he was on his way to the Hospital for the Criminal Insane at Matteawan, where he remained until yesterday morning, except on oc-

FLINT LOOKS FOR

Alienist Says Homicidal Mania Will Again Assert Itself.

the management of Matteawan Asylum for conditions which permitted the escape and said he believed Thaw would shoot somebody or commit other acts of violence now that he is at liberty.

Dr. Flint was asked if he intended to apply for a permit to carry a revolver, ince Thaw is known to cherish bitter animosity for him and to have threatened him. His attention was directed to a statement to that effect, made by him prior to the last White Plains hearing.

"I said." he replied, "that I would apply for a revolver permit provided Thaw was liberated by the courts. I have no fear that he will return to the State of New York, provided he is now outside of its jurisdiction. Besides I am an old man and haven't many years left anyway."

Learns of the Escape.

The first Dr. Flint heard of the escape Garden and fired two shots into his head and one into his shoulder. A fortune has been spent in legal procedure to secure Thaw's release. It was only last February that a bribe of \$25,000 was offered to get him out of Matteawan.

Thaw is the son of the late William Thaw of Pittsburg, who died leaving an estate estimated at \$40,000,000. The young man showed wild tendencies in his youth and his father left him only \$2,500 a year. His mother, Mrs. Mary C. Thaw, Garden and fired two shots into his head was when Dr. Kleb, present head of the

escape," was the answer, "since he realized that he had exhausted all legal measures to obtain his freedom through the courts. It is certain to my mind that

teawan Hospital, called me up this morning to discuss the escape of Thaw. Thaw must have got out through the ward, which is always locked—each attendant Stanford White, at that time this country's leading architect. He secured for her several theatrical situations and sent her to a private school at Pompton, N. J. When she returned to New York she met Thaw and he became infatuated with her at first sight.

must have got out through the ward, which is always locked—each attendant having a master key and each member of the medical staff also a key. By collusion, presumably of a keeper, Thaw knows his way about the hospital thoroughly. He went to the store room and in the store room is a door or gate leading to the outside. That gate is in charge of an em-ployee who has been in the hospital After a rumor had gained considerable circulation that she was to marry Jaca, Barrymore, an actor, she went to Paris with her mother. Mr. White paying the bills. Thaw followed. He deluged her with flowers, jewelry and attention. In the end she left her mother and the young couple began a tour of the Continent.

Before two months had clapsed she was back in New York seeking a reconciliation.

"The statutory verdict in the case of a p rson who has committed murder and is proved to have been insane at the time of the murder is not guilty by reason of insanity.

"The State Bar Association is now conin such cases. The verdict suggested is the criminal insane. In case of a verdict of 'not guilty by reason of insanity' if the prisoner escapes to another State he is ot subject to recovery by extradition for

the English law 'guilty, but insane,' he is a criminal and can be recovered by

"Harry Thaw has threatened to kill his at the last two trials of writs of habeas corpus at White Plains. He also, as evi-denced by doctors, regards me as the

"It is impossible to forecast what Thaw Matteawan Thaw would be taken to Europe. Certainly be cannot return any Matteawan Thaw would be taken to Europe. Certainly he cannot return any time to the State of New York without the risk of being retaken and sent back to Matteawan, and it is quite unlikely that he will return to New York, at least for a long time, although the city has many attractions for him.

Fears Another Murder.

"The evidence is that under the influence of even a small amount of alcohol Thaw becomes quarrelsome and dangerous in the highest degree. It is not probable that he will abstain from alcohol and it is almost certain that he will sooner or later commit some act of violence, even murder. These homicidal paranolacs are especially dangerous to their supposed nemies because they plot and scheme and murder, taking their victim unawares and giving him no possible chance of defence, as was shown in the case of Stanford

"The conditions at Matteawan since the reorganization effected by Col. Joseph F. Scott in the fall of 1911 involving the enforced resignation of Dr. Charles Lamb superintendent, was soon transferred to the State Commission in Lunacy. His corpus, which was subsequently modified.

Drs. May and Russell made a joint examination of Thaw which was submitted to Thaw for correction (sic) and this was presented to the court under oath.

"The original examination was suppressed. This was plainly a falsification of a document presented to court

"The original examination was suppressed. This was plainly a falsification of a document presented to court under oath. Subsequently a lawyer called Anhut was indicted for and convicted of the orime of attempting to bribe Dr. Russell, to whom a large sum of money was promised in case he should release Thaw. "In an investigation Dr. Russell gave contradictory testimony, once before the Governor of the State and again before the court. During the last trial of a writ of habeas corpus at White Plains Dr. Leak testified to a secret personal examination of Thaw, made without the knowledge of his superior officer, Dr. Russell. In

The Anylumn' Need.

Dr. Flint says that conditions in Mat-teawan are such that a man should be placed in charge who is acquainted with Itself.

Its

Riley asking him to put me in communi-cation with Dr. Kieb as I inferred that he, Dr. Kieb, did not care to meet me."

After telling how Dr. Kieb declined to accept Dr. Baker as his assistant Dr.

"I then predicted to Dr. Baker that some great trouble would occur at Matteawan. In the institution there are at least wan. In the institution there are at least fifty turbulant and highly dangerous inmates. In my opinion if Dr. Kleb had accepted my proposition Harry K. Thaw would still be in Matteawan.

"The escape of Thaw has been due presumably not to Dr. Kleb's culpable negligence but mainly to the fact that he was

gence but mainly to the fact that he was inexperienced in such difficult questions as his treatment and he had under his charge a highly dangerous homicidal paranoiac with abundant money, necessarily in the custody of poorly paid employees who could not be expected to resist the influence which he has been able to bring to bear upon them. I know these officers fairly well, for I examined them in connection with Dr. Carlos F. Machendal in April 1911, and I know full Donald in April, 1911, and I know full well the difficulties which any superin-tendent of Matteawan is sure to experi-

THAW SANE, EVANS INSISTS. Alleniat Sees No Basis for Extradition Demand.

Dr. Britton D. Evans, medical director of the New Jersey State Hospital for the Insane, at Morris Plains, N. J., who testified at the Thaw trials, gave out a statelast night insisting that ment last night insisting that Thaw should have been set, free long ago.

"If Harry K. Thaw is outside of the geographical boundaries of the State of New York," said Dr. Evans, "he is a free man. I know of no right of extradition in the case of an escaped person whose detention has been saidly because of mendetention has been solely because of mental disease. Harry Thaw was not in Matteawan serving time for his crime. "He was there as an alleged insane

Mental disease in the sight of nerson. Mental disease in the sight of the law is no more a basis for extradition than any other form of disease. Many persons have escaped from the New Jer-sey State Hospital at Morris Plains, over which I have presided for more than twenty years, but I have been unable to have them returned by any recognized have them returned by any recognized process of law when they fled into anther State.

"Thaw in the sight of the law is not a criminal. He has been declared not guilty by a jury on the basis of mental unby a jury on the basis of mental un-soundness at the time he committed the crime. He was sent to Matteawan on the further assumption that he was still in-

minded psychiatrist that he must reviewed the case carefully his detention has seemed to be little short of perse-cution and especially so when the records show the discharge of so many persons from State hospitals for the insane throughout the State of New York as

"It would seem that undue legal and medical emphasis has been laid upon the gravity of his case. When we review the records of penal institutions both State is that of resorting the state is the ordinary proportions to keep Thaw as tained throughout his life in Matteawan. "His testimony at the last habeas corpus proceeding should be full evidence to an unbiased mind of the absence of delu-

"I am firmly of the opinion that had ated from Matteawan long ago. I am inclined to this opinion by observation of cases of liberation where the violation of the law has been as great as in his case and the evidence of mental derange-

"Mr. Thaw has made repeated enough through legally constituted channels to gain his liberty. To my mind he has made good his case even in the face of the prejudice that has existed, but he has been remanded from time to time to the law;

"That he has not escaped when he had opportunity after opportunity is to be wondered at. If he is outside the State of New York I feel quite sure that his future conduct will show him to be worthy of his liberty."

Rehearsal on Saturday Now Seen In Strangers' Actions.

Thaw is believed to have passed through here at 11 o'clock this morning. A black car containing three men stopped for a few minutes at a hotel and then went

At 5 o'clock yesterday afternoon two rived at Taylor's Hotel in Mill Plain, in such a case where no new crime has which is one mile east of the New York state line and four, miles west of this been committed. I have never heard, state line and four, miles west of this been committed. I have never heard, either, of the extradition of a criminally place. It is on the direct road between Matteawan and Danbury. This automobile was also a black one.

The two men in it inquired if they were line Connecticut, as they had believed they had been committed to Matteawan pending.

in Connecticut, as they had believed they were still in New York State. E. Thatcher Hoyt talked with both men and directed them as to the exact whereabouts of the State line. The two men had passed the state line and were in Connecticut all right. They displayed much anxiety over the point and went back to locate the line. Furthermore, they said they had passed through Stormville, to which place Thaw was traced to-day. All this leads to the belief that the men yesterday were rehearing the route they were to take to-day with Thaw.

When the dark machine that came this morning reached the Hotel Green its three passengers got out and entered the hotel. The chauffeur remained in the car. As they passed into the hotel a guest on the

they passed into the hotel a guest on the veranda remarked: "One of those men looks much like Harry K. Thaw."

The three left after inquiring the way to Hartford. At that time the police here knew nothing of Thaw's escape. They had heard that an automobile and a patient had stolen away from Matteawan, but they were not informed that the patient was Thaw and had received no description of the car. As a sesult they merely notified the garages to watch out for a stolen car.

toward Waterbury after it left bere.

LINT LOOKS FOR

NEW THAW MURDER

Corpus Dr. Leak, then acting superintendent, Dr. Russell having been forced to resign, made affidavit that Thaw was still insane. In his testimony be said: 'I am of the opinion that said Harry K. Thaw is now insane, is still of unsound mind and that it is still dangerous to the public peace and safety to discharge him from the Matteawap State Hospital.'"

CANNOT BRING THAW

BACK, LAWYERS SAY BACK, LAWYER'S SAY

No Extraditable Charge Against Him, Is the Prevalent Opinion.

SOME DIFFERENT VIEWS

District Attorney Whitman Believes State Can Do Nothing in Matter.

Opinion among lawyers and members of the staffs of District Attorneys here Harry Thaw once outside the boundaries of the State of New York cannot be brought back by legal means. They hold that Thaw has been acquitted of the fore is not a fugitive from justice who may be extradited, and see good reason of his life if he keeps away from New York.

District Attorney Whitman at Bretton Woods was asked by a representative of The Sun his opinion of the legal status of Thaw and of the possibility of his extradition. Mr. Whitman said:

"There are no indictments pending in the That care over Mr. Secretalition law.

"There are no indictments pending in the Thaw case now. No extradition law permits the return of an insane patient from one State to another. The only course possible is for the Connecticut authorities to commit him to one of their State asylums in case he is captured within the boundaries of that State.

"The escape of Thaw does not directly concern the District Attorney's office of the county of New York, as all proceedings conducted for State institutions are handled by the State Attorney-General."

Francis P. Garvan, the former Assistant District Attorney who aided William Travers Jerome in the prosecution of Thaw, said last night that Thaw could be caught and returned to Matteawan only if he were located in this State. Outside of this State, he said, New York officer's have no rights in such a case.

No Charge Against Him.

"Thaw was acquitted of the murder of Stanford White," said Mr. Garvan. "There is now no charge against him. He was an Inmate in the asylum at Matteawan and can be forced to return there only from within the boundaries of this State. He is not a fugitive from justice. as I see it, and cannot be dealt with as

with a convict who escapes from Sing.

"As far as I know there are no charges still against him. In the recent hearing to pass upon his sanity a decision that he was sane only would have discharged him from custody. He had been acquitted of crime before and if he is in another State

There is great doubt in the minds of the authorities even at Matteawan that Thaw can be brought back to this State. He has legally been adjudged a public menace and for this reason he has been confined in Matteawan. But he is not because a publication of the state legally a murderer, as a jury has ac-quitted him of any criminal charge.

Was Acquitted by Jury.

Thaw was found "not guilty of murder the ground of his insanity at the time on the ground of his insanity at the time of the commission of the act." Immedi-ately after this finding the Judge of the court wherein he was tried ordered him to Matteawan to be held there until "dis-charged by due course of law." Such were the conditions upon which he entered

at institution these conditions was made very cleaan Assistant District Attorney vesterday who has had much to do with indictments and extradition cases in the New York District Attorney's office. According to him, there are only two ways of thinking of getting Thaw back into teawan if he is outside the State, and either of these he thinks is useless.

any State which allows an insane

he cannot pay for his keep. Cites Similar Case.

An example of this course was dein question from a case of a year ago. An instane woman who escaped from a Massachusetts asylum reached New York and was here placed in Bellevue, later to be sent to a State asylum. Under the law she was returned to the State from which she came because she was a pauper. This would hardly apply to Thaw, it was pointed out, as he would pay for

Extradition, it was pointed out, is for the purpose of bringing back a person charged with a crime, and as there is now no charge against Thaw he cannot be extradited, was the belief of this lawyer.

question arises, however, as to whether or not an escape from Matteawan is in itself a crime and whether for that Thaw can be indicted and extradited. It was pointed out that such an indictment could be found only in case another charge of crime were already pending DANBURY THINKS THAW PASSED. was not in Matteawan as a criminal

> Assistant District Attorney Frank Moss quitted of the crime of murder on the ground of insanity and that therefore there was no charge remaining against

"He cannot be extradited as far as it is can see," said Mr. Moss. "He was placed from in Matteawan because his mental condition made him a public danger a man has. This case was an acquittal, and I know of no example of extradition

> gave it as his own belief that Thaw had been committed to Matteawan pending his sanity, and that if he recovered from disposition of his case. He said he habeen acquitted of the charge of murder but that he had not been dismissed, and for that reason was not so sure but that Thaw might be extradited.

Thaw might be extradited.

HARTFORD, Conn., Aug. 17.—The consensus among Connecticut authorities here is that Thaw was safe as soon as he crossed the Connecticut line. They do not know of any charge by which they could arrest or hold him. They believe that inasmuch as he was found not guilty of murder, was adjudged insane and committed to an asylum, they have no ground for undertaking his capture. for undertaking his capture

GLYNN WILL INVESTIGATE.

Acting Governor Says Escape of Thew Is Serious Matter. ALBANT, Aug. 17.—"This is a very rious matter," declared acting Governor

Glynn to-night in discussing the Thaw escape. "I shall start an immediate in-State Superintendent of Prisons John B. Riley will be in Albany to-morrow and will be asked for a report of the matter by Mr. Glynn.

Saks & Company

Broadway at 34th Street.

Beginning this morning and continuing tomorrow

a Sale of Men's Two-Garment Suits at \$13.50

reduced from \$17.50, \$20, \$23 & \$25

In this sale you can get a bargain in a Summer suit that will give you a couple of months of warm weather wear right now, and be ready for the first rise in the temperature next Spring. The selection embraces Norfolks, and single and double breasted styles, in two and three button effects. All made on negligee, soft roll collar lines, and the fabrics include shepherd plaids, tropical worsteds, mohairs and flannels. Beautifully tailored and finished, of course, and cut with that inimitable style which has made the fame of Saks in clothes.

A clean-up of MEN'S SHIRTS were \$1.50 to \$2.50 reduced to 85c

One day-two at most-will see every one of these shirts sold, so don't put off till tomorrow what you can so profitably put on today!

§ 3300 fine Madras and mercerized cloth shirts taken directly from our own stock and reduced for immediate disposal. Made with starched or double soft cuffs. The patterns embrace smart stripes and neat, natty patterns on either light or dark grounds. All sizes and sleeve lengths. And every shirt a downright bargain, offering you the best of workmanship and finish, at a bare fraction of its market worth on any retail counter in New York.

Men's \$1.50 PAJAMAS reduced to 95c

¶ About 1200 suits that we want to close out preparatory to receiving Fall deliveries of new merchandise. Made of fine plain color Madras, in blue, tan, gray, helio, and white. Silk frogs and pearl buttons. Low cut neck. Sizes for small, medium and ample men. And simply a stupendous value, for there isn't a pair of pajamas in town today that can match both the quality and the price of these.

J. A. CHALONER IS GLAD.

RICHMOND, Va., Aug. 17 .- John Arm strong Chaloner, who escaped from Bloomingdale Asylum and wrote "Who's Looney Now?", said to-night that he was glad Harry Thaw had escaped from Mat-

nor a friend of the idle rich class which he represents." he said, "but I am glad he has escaped from the confines of Matteawan, because it was impossible for him to get justice in New York. The records erable,

sane to-day as any man. I speak of a manifest, knowledge born of walking the wards in . The be Bloomingdale for four long years.

or by a Judge without a jury." SAY THAW BOARDED YACHT.

South Norwalk Has Report of Fugitive's Arrivat.

SOUTH NORWALK, CONN., Aug. 17. There was a report in circulation here to-night that Harry Thaw had made his way to this city, was met by a party from a yacht and was taken aboard the

Thaw depart. Yachts frequently anchor off Roton Point to send a dory ashore was there only as an insane man from anchorage this afternoon. She was said whom the public should be protected.

No Charge Now, Saya Moss.

No Charge Now, Saya Moss. cabin appearing above deck. There was no confirmation of the story that she

took aboard any passengers. MAY GET THAW FOR ASSAULT. Dutchess Authorities Also to Inves-

tigate Alleged Conspiracy.

POUGHKEEPSIE, N. Y., Aug. 17 .-- It thought that a charge of assault can be made against Thaw in Dutchess county if stories to the effect that he struck one the guards can be substantiated District Attorney Edward A. Conger will investigate this matter to-morrow; at the same time he will take up the question of conspiracy, as attaches of his office agree with Dr. Kieb that the escape his vacation in the Adirondacks

ANHUT NOT IN ON ESCAPE PLAN. Lawyer Says Thaw Never Talked of

Flight, Hoping to Prove Sanity. John Nicholson Anhut, who was recently convicted of offering a bribe to the superintendent of Matteawan so as to obtain

Plains.

He said last night that he knew nothing of Thaw's escape and was positive that neither Thaw nor any of his family ever discussed a method of escaping from Matteawan with him. Thaw, he declared, seemed bent on being declared sane.

Arrests in Shooting Case.

Richard Furdez of 166 Glen street, and Robert Rambos of 1027 Liberty avenue, were arrested yesterday in connection with the shooting of Thomas Ryan Sat-urday night at Railroad avenue and Hill street. Brownsville, while he was walk-

Ryan is in a serious condition in Kings tracted from his back yesterday.

COTTON CROP IMPROVING

Author of "Who's Looney Now?" Heavy Rains Fall in Texas, Where

NEW ORLEANS, La., Aug. 17 .- Th Times-Democrat will present to-morrow the reports of its correspondents as to the condition of the cotton crop on Aug-12. The consensus of opinion is to

homa distinct improvement has been the The two States named have suf rule fered from drought and excessive heat and the deterioration has been consid-

The boll weevil has been active in

many districts, but the farmers have waged a vigorous campaign against the pest and the damage does not appear to have been important except in certain parts of southwestern Texas. The supply of labor is generally said to be sufficient and no trouble is expected in that line.

Most correspondents report that farm. ers are inclined to sell at current prices at least enough of their crops to put which will save thousands of bales of cotton, fell over a wide area in Texas this afternoon. The weather continues

unsettled to-night, with indications for The rain came just in time and insures good top crop. Incalculable benefit s befallen foodstuffs, especially cane, which would have been a total loss had

CALLS POSTMASTER LIBELLER

Mahanoy City's Postal Official Se-

eused of Attacking Women. POTTSVILLE, Pa., Aug. 17 .- Judge C. N Brumm has sent a registered letter to the Post Office Department at Washington. charging that Postmaster David M. Graham of Mahanoy City is the author of an anonymous letter recently sent through the mails from Mahanoy City to Pottsville in which the character of to Pottsville in which the character of two women of Mahanoy City is attacked Accompanying Judge Brumm's letter were documents which, the Judge says, are conclusive proof of Graham's guilt. Immediate action against Graham is requested. Judge Brumm refuses to the names of the women attacked by

anonymous writer, declaring their good names should not be besmirched in such an irresponsible manner, "especialic as an irresponsible manner.
the specific accusation concerning their Graham is serving the third year of his

KILLED BY FIRE CHIEF'S AUTO

Chanffeur Stumbles and beits as Front of Rushing Machine. Long Branch, N. J., Aug. 17.—Thomas Gagan, twenty-six-year-old chauffeur for Albert F. Fosch of Deal, was fatally injured to-night by being run over by an automobile owned by Acting Mayor

Birkenseld, who is chief of the Mr. Birkenseld, who is chief of the Deal fire department, was responding to a call when the accident ha Gagan: who was running, stumb!

fell directly in front of the chief's car, It passed over him. The man died on the way to the hospital. Gagan leaves a widow and one child, 6 years old.